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*Counsel for the Plaintiff,  
 Howard M. Ehrenberg in his capacity  
 as Liquidating Trustee of Orion Healthcorp, Inc., et al.,*

UNITED STATES BANKRUPTCY COURT  
 EASTERN DISTRICT OF NEW YORK

In re:	:	Chapter 11
	:	
ORION HEALTHCORP, INC <sup>1</sup> .	:	Case No. 8-18-71748 (AST)
	:	
Debtors.	:	(Jointly Administered)
	:	
HOWARD M. EHRENBERG IN HIS CAPACITY	:	Adv. Pro. No. 8-20-08044 (AST)
AS LIQUIDATING TRUSTEE OF ORION	:	
HEALTHCORP, INC., ET AL.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
AMERICAN EXPRESS TRAVEL RELATED	:	
SERVICES COMPANY, INC.,	:	
	:	
Defendant(s).	:	

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

**STIPULATION REQUESTING AMENDMENT TO CASE MANAGEMENT  
AND DISCOVERY PLAN**

Plaintiff, Howard Ehrenberg, in his capacity as Liquidating Trustee of Orion Healthcare, Inc. (the “Plaintiff”) and Defendant American Express Travel Related Services Company, Inc. (“Defendant”; together with the Plaintiff, the “Parties”), by and through their undersigned counsel of record, stipulate as follows:

**RECITALS**

Plaintiff and Defendant, each by and through their respective undersigned attorney, hereby stipulate and agree to extend the written and document fact discovery deadline from September 30, 2021 to December 30, 2021, and to extend the time to select a mediator and schedule mediation to January 13, 2022:

1. On March 12, 2020, Plaintiff filed a complaint [Dkt. No. 1] against Defendant.
2. The Summons [Dkt. No. 2] was issued by the Clerk’s Office on March 13, 2020.
3. On March 19, 2020, Defendant was served with the summons and complaint.
4. On July 13, 2020, Defendant filed Defendant’s Answer And Affirmative Defenses To Complaint For Avoidance And Recovery Of (1) Preferential And Or Fraudulent Transfers And (2) Objection To Claim No. 69 Pursuant To 11 U.S.C. §§ 502, 547, 548 & 550 [Dkt. No. 8].
5. On March 25, 2021, the Court entered the Case Management and Discovery Plan [Dkt. No. 22] (the “Discovery Plan”), setting, among other things, a deadline for all written and document fact discovery for September 30, 2021, so that such fact discovery could be conducted prior to the Parties’ selection of a mediator and scheduling of mediation.
6. The Pre-Trial Conference was adjourned to October 5, 2021, and, because the Parties desired and agreed to attend mediation, the Discovery Plan requires the Parties to file a

joint stipulation prior to the Pre-Trial Conference advising of the mediator selection and proposed mediation date.

7. This is an adversary involving alleged transfers of over ten million dollars and multiple accounts and theories of recovery. The Parties have met and conferred over the course of this adversary proceeding and have exchanged a substantial amount of information and records via formal and informal discovery, and are continuing to do so. In addition, Plaintiff has served subpoenas on two third-parties, and is expecting supplemental responses from those third-parties.

8. The Parties are seeking additional time to continue the discovery process and confer regarding the facts and legal issues, in order to prepare adequately for mediation and possibly pre-mediation settlement discussions. The Parties therefore seek to extend the written and document fact discovery deadline by approximately 90 days, and to extend the time to file their joint stipulation advising of the mediator selection and proposed mediation date accordingly.

**NOW AND THEREFORE, IT IS HEREBY STIPULATED AND AGREED:**

1. All written and document fact discovery between the Parties shall be completed no later than December 30, 2021.

2. The Parties will jointly file a stipulation with the Court advising of the selection of a mediator and the date proposed for mediation no later than January 13, 2022.

3. Each person who executes this Stipulation represents that he or she is duly authorized to execute this Stipulation on behalf of the respective Parties hereto and that each such party has full knowledge and has consented to this Stipulation.

4. This Stipulation may be executed in one or more counterparts, any of which may be transmitted by facsimile or electronic transmission, and each of which shall be deemed an original, but all of which together shall constitute one and the same document.

Dated: August 20, 2021

**PACHULSKI STANG ZIEHL & JONES LLP**  
Attorneys for Plaintiff Howard M.  
Ehrenberg in his capacity as Liquidating  
Trustee of Orion Healthcorp, Inc., et al

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Dated: August 20, 2021

**ARNALL GOLDEN GREGORY LLP**  
Counsel for Defendant American Express  
Travel Related Services Company, Inc.

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**SO ORDERED:**